

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IN RE RODRICK CLIMMONS,

Plaintiff.

Case No. 3:24-cv-00423-MMD-CLB

ORDER

On September 19, 2024, *pro se* plaintiff Rodrick Climmons, an inmate in the custody of the Nevada Department of Corrections who is housed at Northern Nevada Correctional Center (“NNCC”), submitted an incomplete application to proceed *in forma pauperis* (“IFP”) and did not submit a complaint. (See ECF No. 1). Plaintiff did not sign page 3 of the application. (*Id.* at 3). The Court will grant Plaintiff an extension of time to submit a complaint and either pay the full \$405 filing fee or file a fully complete application to proceed *in forma pauperis* by an inmate at NNCC.

I. DISCUSSION

“A civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. “A civil-rights complaint filed by a person who is not represented by an attorney must be submitted on the form provided by this court or must be legible and contain substantially all the information called for by the court’s form.” Nev. LSR 2-1. The complaint must be signed personally by the unrepresented party. Fed. R. Civ. P. 11(a).

This Court must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. LSR 1-1. Effective February 1, 2024, NNCC inmates filing lawsuits in the U.S. District Court for the District of Nevada are directed to apply for *in forma pauperis* status using the form titled “Application to Proceed *In Forma Pauperis*”

1 by an Inmate at Northern Nevada Correctional Center.”

2 **II. CONCLUSION**

3 It is therefore ordered that Plaintiff has until **October 23, 2024**, to submit a
4 complaint to this Court.

5 It is further ordered that Plaintiff has until **October 23, 2024**, to either pay the full
6 \$405 filing fee or file a fully complete application to proceed *in forma pauperis*, which is
7 pages 1–3 of the Court’s approved form for inmates at NNCC.

8 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
9 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
10 to refile the case with the Court, under a new case number, when Plaintiff can file a
11 complaint and either pay the filing fee or properly apply for *in forma pauperis* status.

12 The Clerk of the Court is directed to send Plaintiff (1) the approved form for filing
13 a 42 U.S.C. § 1983 complaint and instructions for the same and (2) an application to
14 proceed *in forma pauperis* by an inmate at NNCC and instructions for the same.

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16 DATED THIS 23rd day of September 2024.

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19 UNITED STATES MAGISTRATE JUDGE
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